

**WRITTEN DECISION
OF THE INTERNATIONAL
SEARCHING AUTHORITY (SUPPLEMENT PAGE)**

International file number
PCT/EP2Q04/012701

On point V

Established determination concerning the novelty, the inventive behavior and the industrial applicability; documents and explanations for the support of this determination

1. Reference is made to the following documents:

D1: DE1196438B
D2: US2851858A
D3: US2683350A

2. The present application does not fulfill the requirements of article 33(1) PCT, because the subject matter of claims 1 and 19 as defined by article 33(2) PCT is not new.

2.1 Document D1 discloses a hydrodynamic clutch (see figure 1) with a primary impeller P and a secondary impeller T which together form a working chamber, with means for influencing the transmission behavior of the hydrodynamic clutch, said means comprising at least an element 3 which forms an interference or baffle region and extends at least partially into the working chamber, whereby the element 3 which forms an interference or baffle region can be displaced in the axial direction in the working chamber.

2.2 The subject matter of claim 1 is thereby not new.

2.3 The procedure claim 19 is thereby also not new.

3. The dependent claims 2,3,7,8,11,13,16 to 18, and 20, do not contain characteristics which, in combination with the characteristics of any claim that it relates to, meet the requirements of the PCT with respect to the novelty and/or inventive behavior. The reasons for this are the following:

3.1 Claim 2: the element which forms the interference region is constructed as a ring shaped disk element (see figure 1).

WRITTEN DECISION International file number
OF THE INTERNATIONAL
SEARCHING AUTHORITY (SUPPLEMENT PAGE) PCT/EP2Q04/012701

- 3.2 Claim 3: the element which forms the interference region can also contain interruptions (see the influx openings 4 in figure 1). To implement the element as a ring disk segment would be an obvious possibility for an expert.
- 3.3 Claim 7: document D2 describes likewise a hydrodynamic clutch according to claim 1. The subject matter of claim 1 is therefore not new in relation to D2. D2 describes in addition a hydrodynamic clutch (see figure 2) in which the element which forms the interference is arranged in the region of the external diameter of the working chamber. The subject matter of claim 7 is thereby not new.
- 3.4 Claim 8: Document D3 also describes a hydrodynamic clutch according to claim 1. The hydrodynamic clutch in D3 comprises in addition an element which forms a baffle region in the region of the internal diameter of the working chamber. The external diameter of the baffle region is smaller than the external diameter of the working chamber. The subject matter of claim 8 is thereby not new.
- 3.5 Claim 11: In D1 the element which forms the interference region is constructed as a separate component.
- 3.6 Claim 13: In addition, in D1 element which forms the interference region is assigned to the impeller P, the impeller P comprises a blade carrying part (to 2) and the blading carrying part and the blading are provided in the radial direction on the external diameter of the impeller with a constant diameter over the axial extension, whereby this is formed by the shaping of a blade part segment.
- 3.7 Claim 16: The element which forms the baffle or interference region is guided at the casing (figure 1) in D1.
- 3.8 Claim 17: The element which forms the interference or baffle region is assigned to the primary impeller in D1.
- 3.9 Claim 18: The element which forms the interference or baffle region is assigned to the secondary impeller in D3.

WRITTEN DECISION International file number
OF THE INTERNATIONAL
SEARCHING AUTHORITY (SUPPLEMENT PAGE) PCT/EP2Q04/012701

3.10 Claim 20: The expert would consider it standard approach to combine all the characteristics, which are brought forward in the claim with each other, in order to be able to control a hydrodynamic clutch.

On point VIII

Specific remarks concerning the international application

4. The application does not meet the requirements of article 6 PCT, because the claim is not clear.
- 4.1 As stated below, the characteristics in the procedure claim 19 do not relate to a device and do not relate to the definition of a procedure. All the characteristics are technical characteristics. The intended restrictions are therefore, contrary to the requirements of article 6 PCT, not clear from the claim.
- 4.2 Characteristics which are introduced with "in particular" in the claim, are considered as optional and do not contribute to the extent of protection (see claim 1 and 6).